

separate Engineering Establishment for Local Fund Works. The District Boards of Kadur, Shimoga and Tumkur are not in favour of any change in the existing arrangements while those of Bangalore, Kolar, Hassan and Mysore are in favour of the proposal. The existing Public Works Establishments were based on the system of combined jurisdiction towards which the District Boards pay a contribution, and the Government at present are not satisfied that the establishment of another Engineering staff to attend to Local Fund Works will be conducive to any greater efficiency.

13. *General.*—In order to ensure that the Taluk, inter-taluk, and inter-village services are not neglected and that the other functions of the District Boards are efficiently carried on, Government consider that it is desirable that the President of each District Board should be assisted by a Chief Officer and that the District Boards should make suitable provision for such an appointment. The Chief Officer will devote his whole time and attention to the performance of executive functions of the Board and will be responsible for the correct maintenance of accounts and efficient working of the District Board Office.

14. *Conclusion.*—In this Order, the Government have indicated the general lines of policy for the future development of Panchayets and District Boards in the State. It will be observed that the principal object aimed at in the order is to place the system of village administration on an efficient and satisfactory basis. Towards this end, it has been found necessary to make statutory provision for the establishment of Panchayets in all the villages in the State giving them a certain amount of autonomy in the management of their own affairs. As for sometime to come these infant institutions will require to be carefully nurtured and supervised so that they may develop and prosper on healthy lines, provision has been made for their control by the officers of the Revenue Department, helped by Inspectors of Panchayets to be specially appointed for the purpose. With the Panchayet system in force throughout the State, and with a view to place the finances of the District Boards in a satisfactory condition, it has become necessary to decide upon the abolition of the Taluk Boards. The removal of the intermediary agency of the Taluk Boards leaves the District Boards a free hand in developing the larger local interests in the districts while securing to them greater control over their finances and concentration of funds in their hands. Government earnestly hope that the scheme outlined above will receive the full support of the rural population of whose amelioration it has been undertaken and that it will be worked in a spirit of co-operation and confidence. Necessary action will be taken to introduce legislation in the matter at an early date.

B. NAGAPPA,

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Further Improvements in Municipal Administration.

READ—

Government Order No. 3005-55—Ml. 132-16-1, dated 16th November 1916, passing orders on the scheme for the development of Local Self-Government in Mysore.

2. Government Order No. R. 4050-60—Ml. 98-19-1, dated 22nd September 1919, passing orders on the regularisation and development of Municipal Taxation in the State.

3. Government Order No. L. 5395-5457—Ml. 162-22-1, dated 27th January 1923, directing the holding of a Local Self-Government Conference at Bangalore to go into all questions with a view to further develop Local Self-Government in the State.

4. Resolutions of the Local Self-Government Conference of 1923 relating to Municipalities.

5. Government Order No. L. 30-47—Ml. 93-23-4, dated 3rd July 1924, sanctioning the revision of the Mysore Municipal Account Manual and stating that separate orders will issue on the proposals of the Committee to consider the revision of the Manual in regard to administrative matters relating to Municipalities.

6. Suggestions of the Committee appointed to revise the Municipal Account Manual in regard to administrative matters in respect of Municipalities.

ORDER No. L. 4527-41—ML. 145-24-1, DATED 23RD DECEMBER 1924.

The Government in their order, dated 16th November 1916 read above, laid down the policy regarding the future development of local bodies in the State and accepted the following recommendations of the Local Self-Government Conference of 1915 in regard to the development of Municipalities. The Municipalities constituted under the executive orders of the Government were reconstituted and all the Municipalities in the State were brought under the Regulation and classed as City, Town and Minor Municipal Councils. In the City Municipal Councils, an elected majority was provided for, while in the Town Councils the elected element was fixed at half the total strength of the Councils and in Minor Municipal Councils the elected proportion was one-third. Provision was made in the Regulation for the appointment of Chief Executive Officers in all Municipalities where circumstances necessitated or justified such appointments. The order also provided for enlarged powers of Municipal Councils over budget sanctions and appropriation of grants and for a half-yearly audit of accounts by Government Agency. The Municipal Councils were also empowered to raise loans for productive works. These extensive changes necessitated the amendment of the Municipal Regulation and Regulation V of 1918 was passed to give effect to the policy laid down by the Government. Three other amendments have been subsequently passed to provide (1) for the appointment of economic committees, (2) for the levy of education cess, and (3) for the appointment of Commissioners in City Municipalities. The Resolutions of the Local Self-Government Conference relating to the Municipalities do not involve any important changes in the constitution or functions of these institutions. The suggestions made in these Resolutions relate chiefly to further improvements to be effected in Municipal Administration and they will be dealt with *infra*.

2. *Minor Municipalities*.—The question of the continuance of Minor Municipal Councils called forth some discussion at the last Conference and although the sense of the Conference was that the Minor Municipal Councils should continue, a resolution has been recorded that they should be given the option of being converted into Town Municipalities or Panchayats. In connection with the introduction of the reforms, six Minor Municipal Councils have been already raised to the status of Town Municipal Councils. As regards the conversion of the remaining Minor Municipal Councils into Town Municipal Councils at their option as a general rule, Government do not deem it expedient to extend as a matter of course the more complex provisions of the Municipal Regulation to every Minor Municipal Council applying for the same. Each case will have to be dealt with on its merits and orders passed. No change is, therefore, called for in the special constitution of these bodies except in respect of the increase of the elected element which has been urged for the consideration of Government. The elected proportion in Minor Municipal Councils will accordingly be raised from one-third to one-half of the total strength.

3. *Constitution*.—Few important changes have been proposed by the Conference with regard to the constitution of Municipal Councils or their Committees. Of the minor changes proposed, their recommendation that there should be a single committee instead of three separate committees for economic development work has been accepted by Government and orders have already been passed in the matter. As regards franchise qualifications, the Conference recommended franchise being extended to women. This recommendation has been accepted to the extent that women will be entitled to vote at elections subject to the same rules as men and the rules have been suitably amended. As education will form one of the important functions of Municipal Councils, it is necessary to have an Educational Officer on the Municipal Council as an *ex-officio* member. In determining the constitution of Municipal Councils, steps will be taken to provide for the appointment of an Educational Officer as a member of the Council.

4. *Presidents and Vice-Presidents*.—In the order of November 1916, Government accepted the principle recommended by the Conference of 1915 that so far as local conditions allow, Presidents and Vice-Presidents for the City and Town Municipal Councils should be elected. As regards Minor Municipalities, they laid down that unless competent men were available, the President of a Minor Municipal Council should continue to be nominated. This principle will continue to govern the policy of Government in this matter and Government will be prepared to consider favourably applications from Town Municipal Councils where suitable candidates are forthcoming to take up the office of President. The Presidents and Vice-Presidents are at

present elected by the respective Municipal Councils from among their own members. In regard to the election of Presidents to Municipal Councils, a very important change has been proposed by the Conference in that it is recommended that the Presidents of City, Town and Minor Municipal Councils should be elected by the general body of voters instead of by the Councils concerned from among their own members. This is a change which has not been adopted so far anywhere in British India and Government consider it inexpedient to adopt the change universally in the State without giving it a trial in a few select areas. To enable this being done, provision will be made in the Municipal Regulation for the election of Presidents by the general body of voters in such areas as may be approved by Government and in accordance with such rules as may be framed from time to time.

5. Representations have been made to Government that the term of office of Presidents of Municipal Councils should be coterminous with their term as members of the Councils concerned and not restricted to one year as in the case of Town and Minor Municipal Councils at present. Government are pleased to accept this recommendation and suitable action will be taken to amend the Regulation.

6. As regards the appointment of Vice-Presidents, it has been suggested that there is no need for a Vice-President when a non-official President is selected for a Municipal Council. The existing provisions in the Regulation meet the requirements of all such cases satisfactorily as the appointment of Vice-Presidents to Municipal Councils is discretionary with the Government under Section 23 of the Municipal Regulation. Ordinarily, when the President is a non-official there will be no need for a Vice-President; but should circumstances arise necessitating or justifying the appointment of a Vice-President, he shall be elected by the Municipal Council from among its members.

7. As regards the appointment of Chief Officers, Government consider that it is desirable that such officers should be entertained by Municipal Councils where the work necessitates or justifies such appointments.

8. *Finance and Taxation.*—The taxes, tolls and fees which may ordinarily be levied by Municipal Councils are enumerated in Section 59 of the Municipal Regulation. The range of taxation is wide enough and full advantage has not been taken of the available provisions for developing the resources of Municipalities in the State. Octroi forms an important source of revenue in most of the Municipalities and sufficient attention has not been paid to the development of Municipal revenue by improvements in the levy of direct taxes such as taxes on animals and vehicles, general sanitary cess, lighting tax and water rate. As regards the levy of profession taxes in lieu of shop tax, Government in their Order No. 4050-60—ML 98-19-1, dated 22nd September 1919, pointed out that the levy of tax on shops was not legal and that it should be replaced by a tax on professions and trades, in regard to which the schedule of taxes had been amended under the Regulation of 1918, so as to reduce the taxable minimum to an income of Rs. 30 a month. With reference to this order, representations have been received from several Municipal Councils that the substitution of profession tax for shop tax would materially reduce the revenues of Municipalities. The Local Self-Government Conference also recommend that the levy of shop tax should be legalised and that all Municipal Councils should have the option of levying the same in lieu of profession tax as shop tax in smaller Municipalities has a decided advantage over profession tax; for under the latter system only persons whose income is Rs. 30 a month or more are liable to taxation while shop tax is leviable from all shop-keepers irrespective of their income. In consideration of these circumstances and in view of the fact that shop tax continues to be levied by many Municipal Councils even now, Government think that it is desirable to legalise the levy of the tax and they are pleased to direct that provision be made in the Regulation for the levy of the shop tax in lieu of a tax on professions, trades and callings at the option of the Municipal Councils. The taxation rules of Minor Municipal Councils in this respect will also be suitably amended.

9. In order to improve the income of Municipal Councils, the Conference recommend the levy of taxes on arms, hides, goats and pigs. The question of the levy of a tax of one anna per head of goat and sheep was brought up in the form of a resolution at the last meeting of the Representative Assembly and the House was not in favour of such taxation. Government agree that it is not desirable to add to the list of taxes in the manner proposed and desire to point out that there is sufficient provision in the Regulation to regulate the stalling of goats and sheep within Municipal

limits and to prevent the straying of animals. In the case of pigs also the Municipal Regulation provides against the keeping of such animals which might become a nuisance (*vide* Sections 48 and 137). No action is, therefore, called for in this direction.

10. The proposal to levy surcharge duties is under the consideration of Government and separate orders will be passed on the subject. The levy of tolls is another source of revenue which the Municipal Councils wish to readily avail of in order to augment their income. The conference have recommended that the system of establishing toll gates at the entrance to Municipalities on District Fund Roads should be deprecated and that Municipal toll revenue, whenever levied, should be apportioned between Municipal Councils and District Boards. The question of apportionment of toll revenue between District Boards and Municipal Councils raised by the Conference is separately under consideration and orders thereon will issue in due course.

11. *Control and Inspection.*—The existing Regulation provides adequately for control and interference under certain special circumstances. There is, however, no provision in the Regulation for exercising control and supervision over the routine Administration of Municipalities other than that relating to audit of accounts. The Local Self-Government Conference have in their Resolution No. XIX proposed that the Deputy Commissioner should have power (1) to inspect the offices of Municipal Councils, (2) to call for records in cases either of his own motion or on application of an aggrieved party and if satisfied that the order or proceedings of the Council or its executive is wrong or contrary to law, to submit the records of the case with his opinion to Government for such orders as they deem fit to pass. Government accept the resolution of the Conference with this modification that the Deputy Commissioner will exercise such powers only in respect of Town and Minor Municipal Councils. Steps will be taken to amend the Municipal Regulation accordingly.

12. The question of the transfer of Municipal employees after they have put in a definite period of service in any one place was urged for consideration at the last session of the Representative Assembly and although the question was a complicated one, the House considering the advantages to be gained by such transfers agreed that to give effect to the scheme it is necessary to entertain in Municipal offices only lent officers from Government service, and to this extent they were prepared to curtail the powers of patronage exercised by Presidents of Local Bodies. The recommendation of the House will be accepted and detailed rules will be issued for the guidance of Municipal Councils to give effect to the scheme.

13. *Miscellaneous.*—A Committee was appointed to revise the Municipal Account Manual. Orders have been passed on the recommendations of the Committee, the principal changes introduced being the enlargement of the powers of Municipal Councils in regard to the sanction of estimates for public works and variation in the scale of establishment. The Representative Assembly was also consulted in regard to the other recommendations of the Committee of an administrative character and Government agree with the House that the question of appointment of Inspectors of Municipalities and grant of House Building Advances to Municipal employees from Municipal funds be dropped for the present and direct that provision be made in the Municipal Regulation for the following matters:—

- (a) Execution of warrants of one Municipality in another for recovery of taxes.
- (b) Composition of Municipal Offences.
- (c) Grant of loans to encourage local arts and industries.
- (d) Municipal Councils to levy taxes on Government buildings which are used for residential purposes and which require Municipal services.

14. Most of these changes involve legislation and these along with other amendments pending consideration will be placed before the Legislative Council as early as practicable.

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